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REMARKS

This application has been carefully reviewed in light of the final rejection of April 6, 2004. The indication of allowability of claims 12, 15 and 16 subject to presentation in independent form is acknowledged with appreciation. By this amendment, claim 12 has been cancelled and presented in independent form as claim 23. In addition, claim 15 has been cancelled and presented in independent form as claim 24 to include the subject matter of claims 11, 14 and 15. Dependent claim 16 has been amended to make it dependent from claim 24. In addition, claims 11 and 17 have been amended to provide, with respect to the waste gas outlet, that the releasing of the waste gas is to provide for removal of the waste gas. While, as discussed below, applicant would respectfully submit that the independent claims cannot reasonably be construed to provide for an outlet providing for the recycling of unreacted monomer, the foregoing amendment further emphasizes that the released waste gases are removed from the preliminary reactor, and not recycled as disclosed in the patent to Platz.

The rejection of claims 11, 13, 14, 17, 19 and 20 under 35 U.S.C. §102 as anticipated by Platz is respectfully traversed. The linchpin of the §102 rejection is based upon the construction of applicant's independent claims 11 and 17 in calling for an "outlet for releasing waste gases from the preliminary reactor" to be interpreted as reading on the recycle system of reactor 10 of Platz in which unreacted monomer and polymer particles are not released from the reactor, but instead are recycled back to the reactor. In regard to the Examiner's comments respecting interpretation of the claims, attention is respectfully invited to MPEP §2111, which states "The pending claims must be given their broadest reasonable interpretation consistent with the specification." Applicant would respectfully submit that the interpretation of applicant's claim language as quoted above to mean a recycle system is not only at variance with the meaning of the term "release," it is clearly not

consistent with this term when the claim is construed in a manner consistent with applicant's specification. Applicant's specification (see, for example, page 7, lines 10-23) makes clear that outlet port 16 provides for the release or removal of waste gases from the reactor 12. The term "release," cannot in accordance with the accepted definition of the term, be construed as meaning to recycle. Attention in this regard is invited to the definition of release as found in Webster's Ninth New Collegiate Dictionary, p. 994, a copy of which is attached.

It further will be noted that the recycle system in Platz does not provide an outlet for the release of waste gases from the reactor 10. The gases recycled in Platz are simply unreacted monomer; they are not "waste gases" as recited in applicant's claims. It would clearly not be reasonable to interpret applicant's claims in light of the specification (see, for example, page 5, lines 16-21) to construe the term "waste gases" in applicant's claims to mean unreacted monomer.

It is respectfully submitted that when applicant's claims are given their broadest reasonable interpretation as required in MPEP §2111, the recitation of an outlet for releasing waste gases cannot be reasonably construed to mean the inlet to a recycle system in which unreacted monomer is recycled back to a polymerization reactor.

Notwithstanding the foregoing remarks, this amendment provides clarifying language in claims 11 and 17 by the further recitation that the outlet provides for removal of the waste gases from the preliminary reactor. This is believed to be clearly consistent with the original recitation of an outlet for releasing the waste gases and does not provide any further issues requiring further search or consideration. Further entry of this amendment is appropriate under 37 CFR §1.116(c) since the concept that recycle of gases back to the reactor in Platz is the same as releasing gases from the reactor was first raised in the Final Rejection. Accordingly, it is respectfully requested that this amendment be entered under the provisions of 37 CFR §1.116.

The rejection of claims 17-22 under the first paragraph of 35 U.S.C. §112 as being nonenabling is respectfully traversed. In re Fisher cited in the Final Rejection does not support the proposition that in non-chemical cases of the type involved here, a narrow scope of enablement should be observed. In fact, in re Fisher specifically states at 166 USPQ p. 24, "In cases involving predictable factors, such as mechanical or electrical elements, a single embodiment provides broad enablement in the sense that once imagined, other embodiments can be made without difficulty and the performance characteristics predicted by resort to known scientific laws." Applicant's invention involves use of a preliminary reactor and a main reactor, which, by their very nature are of different configurations. The use of preliminary reactors or "baby" reactors as described in applicant's specification to preliminarily treat the catalyst is clearly enabled by applicant's disclosure. The patent to Platz does not involve a preliminary reactor and a main polymerization reactor, but instead involves two identical batch-type main polymerization reactors. The language chosen in applicant's claims clearly distinguishes applicant's invention from the system disclosed in Platz. respectfully submitted that one of ordinary skill in the art could, immediately after reading applicant's disclosure, arrive at various different reactor configurations to satisfy the requirement of a reactor for preliminary treatment of a catalyst as involved in applicant's invention.

With respect to applicant's claims 13 and 19, it is respectfully submitted that the reactor 40 of Platz is not a loop-type reactor as called for in these claims. As described in applicant's disclosure, loop-type reactors are continuous polymerization reactors in which the polymerization reaction occurs as the polymerization medium is continuously circulated through the reactor. Such reactors are well known in the art as disclosed, for example, in U.S. Patent No. 4,767,735 to Ewen. The reactors disclosed in Platz are not loop-type reactors as the type disclosed in U.S. Patent No. 4,767,735 to Ewen, but instead are fluidized bed reactors in which polymerization occurs in a

standing column with product withdrawn from near the bottom of the column. The "loop" formed

by elements 40, 50, 54, 56, 58, 60 and 62 of Platz involves the recirculation of monomer and gas

and the removal of a particulate material from the gas for recycle and return to the batch-type

reactor. However, the reactor 40 is not a loop-type reactor of the type disclosed and claimed in

applicant's invention.

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Respectfully submitted,

Registration No. 20,846

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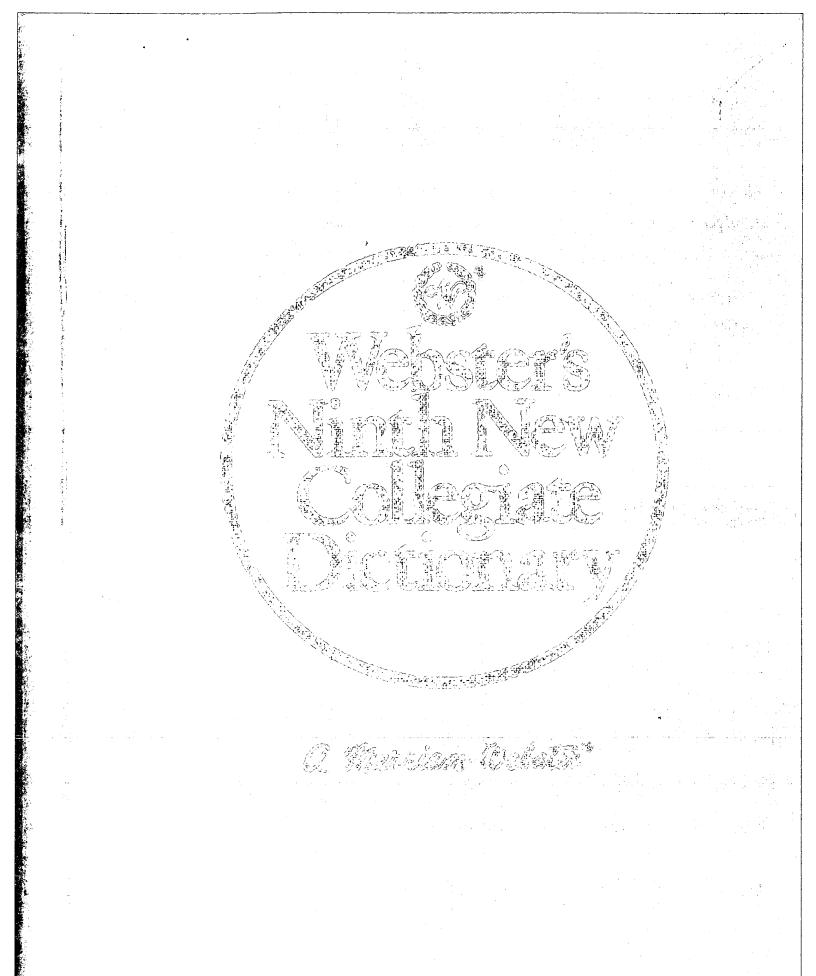
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re-join \ri-join, vt 1 is (')re-\ vb [ME rejoinen to answer to a legal charge, fr. MF rejoin, stem of rejoindre, fr. re- + OF joindre to join — more at IOIN] vi (15c): to answer the replication of the plaintiff ~ vt 1: to join again 2: to say often sharply or critically in response esp. as a reply to a reply syn see ANSWER
re-join-der \ri-join-dar\n [ME rejoiner, fr. MF rejoindre to rejoin] (15c)
1: the defendant's answer to the plaintiff's replication 2: REPLY;
specif: an answer to a reply

specty: an answer to a reply
re-juve-nate \(\)ri-\[\]iu-va-nat\\ vb -nat-ed; -nat-ing \([re- + L \) juvenis young
— more at YOUNG\(\) vt \((1807) \) 1 a: to make young or youthful again
: REINVIGORATE b: to restore to an original or new state \(\ldots \) old cars\(\)
2 a: to stimulate \((a \) stream) to renewed erosive activity esp. by uplift
b: to develop youthful features of topography in \(\sim v \) it is cause on undergo rejuvenescence syn see RENEW — re-ju-ve-nas-tion /i-jü-və-nas-ton, rē-\ n — re-ju-ve-nas-tor \ri-jü-və-nāt-ər\ n re-ju-ve-nes-cence \ri-jü-və-nes-ən(t)s, rē-\ n [ML rejuvenescere to become young again, fr. L re-+ ju-venescere to become young, fr. juvenis[(1631): a renewal of youthfulness: REJUVENATION — re-ju-ve-nes-

nisj (1631): a renewal of youtnumess: REDUVENATION — rejuveness-cent \^2nt\ adj

¹re-lapse \ri-'laps, 'rē-\\ n [L relapsus, pp. of relabi to slide back, fr. relabi to slide — more at SLEEF] (1533) 1: the act or an instance of
backsliding, worsening, or subsiding 2: a recurrence of symptoms of
a disease after a period of improvement

²re-lapse \ri-'laps\ vi re-lapsed; re-laps-ing (1568) 1: to slip or fall back
into a former worse state 2: SINK, SUBSIDE \(\sigma \) into deep thought\ —

relapsing fever n (1849): a variable acute epidemic disease that is marked by recurring high fever lasting 5 to 7 days and that is caused by a spirochete (genus Borrelia) transmitted by the bites of lice and ticks

marked by recurring high fever lasting 5 to 7 days and that is caused by a spirochete (genus Borrelia) transmitted by the bites of lice and tick relate \(\text{ri-lāt} \) vb related; relating [L relatus (pp. of referre to carry back), fr. re- + latus, pp. of ferre to carry — more at TOLERATE, BEAR] vt (1530) 1; to give an account of: TELL 2: to show or establish logical or causal connection between (seeks to \(\times \) crime to poverty\(\times \) vi 1: to apply or take effect retroactively 2: to have relationship or connection: REFER (the readings \(\times \) to his lectures\(\) 3: to have or establish a relationship: INTERACT (the way a child \(\times \) to a teacher\(\) 4: to respond esp. favorably \(\times \) adi\(-\) related ror relation\(\times \) to at eacher\(\) 4: to respond esp. favorably \(\times \) adi\(-\) related ror relation\(\times \) to at eacher\(\times \) 4: to respond esp. favorably \(\times \) adi\(-\) related ror relation\(\times \) to at a stablished or discoverable relation \(\times \) 2: connected by common ancestry or sometimes by marriage 3: having close harmonic connection — used of tones, chords, or tonalities — relatedly adv — related-eness n relation \(\times \) ril\(\times \) as person \(\times \) n [ME relacioun, fr. MF relation, fr. L relation-relatio, fr. relatus, pp.] (14c) 1: the act of telling or recounting: \(\times \) counce things or parts as being or belonging or working together or as being of the same kind \(\times \) of time and space); specif: a property (as one expressed by is equal to, is less than, or is the brother of) that holds between an ordered pair of objects 3: the referring by a legal fiction of an act to a prior date as the time of its taking effect 4 a. (1): a person legally entitled to a share of the property of an intestate b: relationship by consanguinity or affinity: KINSHIP 5: REFERENCE RESPECT (in \(\times \) 0 6: the attitude or stance which two or more persons or groups assume toward one another \(\times \) race and in sons or groups assume toward one another $\langle \text{race } \sim s \rangle$ 7 a: the state of being mutually or reciprocally interested (as in social or commercial matters) b pl(1): DEALINGS, AFFAIRS $\langle \text{foreign } \sim s \rangle$ (2): INTERCOURSE

matters) b pl(1): DEALINGS. AFFAIRS (foreign ~s) (2): INTERCOURSE (3): SEXUAL INTERCOURSE relational \shnal, shnal, shan-2\ adj (1662) 1: of or relating to kinship 2: characterized or constituted by relations 3: having the function chiefly of indicating a relation of syntax has is notional in he has luck, ~in he has gone \ — relationally \-\varepsilon ally \-\varepsilon adv relation ship \shnall shnall not in he has luck, ~in the has luck in the has luck in the has luck in the late of length of the late of the late of length or interrelated (entered into the marriage ~) 2: the relation connecting or binding participants in a relationship; as a: KINSHIP b: a specific instance or type of kinship 3 a: a state of affairs existing between those having relations or dealings (had a good ~ with his family) b: a romantic or passionate attachment

those having relations or dealings (had a good \sim with his family) b: a romantic or passionate attachment relative \(\text{rel} - 2 - 1 - 1 \) \(n \) (16) 1: a word referring grammatically to an antecedent 2: a thing having a relation to or connection with or necessary dependence on another thing 3 a: a person connected with another by blood or affinity b: an animal or plant related to another by common descent 4: a relative term

2 relative adj (1530) 1: introducing a subordinate clause qualifying an expressed or implied antecedent $\langle \sim$ pronoun); also: introduced by such a connective $\langle \sim$ clause) 2: RELEVANT, PERTINENT (matters. \sim to world peace) 3: not absolute or independent: COMPARATIVE (the \sim isolation of life in the country) 4: having the same key signature—used of major and minor keys and scales 5: expressed as the ratio of the specified quantity (as an error in measuring) to the total magnitude (as the value of a measured quantity) or to the mean of all the quanti-(as the value of a measured quantity) or to the mean of all the quantities involved

relative humidity n (1820): the ratio of the amount of water vapor actually present in the air to the greatest amount possible at the same

temperature

temperature relactively adv (1561): to a relative degree or extent: SOMEWHAT relatively prime adj, of integers (ca. 1890): having no common factors except + 1 and -1 (12 and 25 are relatively prime) relative to prep (1660): with regard to: in connection with relative wind n (1918): the motion of the air relative to a body in it relative ism \rel-2-iv-iz-an\ n (1865) 1 a: a theory that knowledge is relative to the limited nature of the mind and the conditions of knowing b: a view that ethical truths depend on the individuals and groups holding them 2: Relativity—rel-ativ-ist\n-3st\n n rel-a-tiv-is-tic\rho(rel-3-tiv-is-tik\rho ddj (1886) 1: of, relating to, or characterized by relativity or relativism 2: moving at a velocity such that there is a significant change in properties (as mass) in accordance with the theory of relativity (a ~ electron) — rela-tiv-is-ti-cal-ly \-'is-ti-k(2-)l\varepsilon\rho adv

the theory of relativity (a ~ election) — relativistic and (a) its (a)

independent of the source or observer and (2) that the mathematical forms of the laws of physics are invariant in all inertial systems and which leads to the assertion of the equivalence of mass and energy and of choose in which leads to the assertion of the equivalence of mass and energy and of change in mass, dimension, and time with increased velocity—called also special theory of relativity b: an extension of the theory to include gravitation and related acceleration phenomena—called also general theory of relativity 4: RELATIVISM 1b
relativize \relativize \relativiz\ vt-ized; -iz-ing (1937): to treat or describe as

re-lax \ri-laks\ vb [ME relaxen to make less compact, fr. L relaxare, fr. re- + laxare to loosen, fr. laxus loose — more at SLACK] vt (1620) 1: to make less tense or rigid: SLACKEN \(\sigma \) dhis muscles\(2: \) to make less severe or stringent: MODIFY \(\sigma \) immigration laws\(3: \) to make soft or enervated 4: to relieve from nervous tension \(\sigma \) vi 1: to become lax, weak, or loose: REST 2: to become less intense or severe \(\text{hoped the committee would } \sigma \) in its opposition\(3 \) of a muscle or muscle fiber: to become inactive and lengthen 4: to cast off social restraint, nervous tension, or anxiety \(\colon \) couldn't \(\sigma \) in crowds\(5: \) to seek rest or recreation \(\sigma \) at the seashore\(\) 6: to relieve constipation 7: to attain an equilibrium state following the abrupt removal of some influence (as light, high temperature, or stress) — re-lax-er n \(\text{re-lax-ant } \tau \), i-lak-sont\(\text{adj} \) (1771): of, relating to, or producing relaxart on (1847): a substance (as a drug) that relaxes; specif: one that relieves muscular tension re-lax \ri-'laks\ vb [ME relaxen to make less compact, fr. L relaxare, fr.

vomotor 5; the act of passing along (as a message or ball) by stages; also: one of such stages

2re-lay \re-la, ri-'la\ v re-layed; re-laying [ME relayen to hunt with relays, fr. MF relaier, fr. OF, fr. re- + laier to leave — more at DELAY (1788) 1 a: to place or dispose in relays b: to provide with relays 2: to pass along by relays (news was ~ed to distant points) 3: io control or operate by a relay

3re-lay \(')re-'la\ v r-laid \-'lad\; -laying [re- + 'lay] (1757): to lay again \(\tag{ track} \)

re-lease \ri-'les\ vt re-leased; re-leas-ing [ME relesen, fr. MF relessier, fr. L relaxare to relax (14c) 1: to set free from restraint, confinement, or servitude (~ hostages) (~ pent-up emotions) (~ the brakes), also to let go: DISMISS (released from her job) 2: to relieve from some thing that confines, burdens, or oppresses (was released from her promise) 3: to give up in favor of another: RELINQUISH (~ a claim to property) 4: to give permission for publication, performance, exhibition, or sale of; also: PUBLISH PRESENT (the commission released its findings) (~ a new movie) syn see FREE — re-leas-able \-1e-sa-bal.

release n (14c) 1: relief or deliverance from sorrow, suffering, or trouble 2 a: discharge from obligation or responsibility b (1): relinquishment of a right or claim (2): an act by which a legal right is discharged; specif: a conveyance of a right in lands or tenements to another having an estate in possession 3 a: the act or an instance of cluding a musical tone or phrase c: the act or manner of concluding a musical tone or phrase c: the act or manner of ending a sound: the movement of one or more vocal organs in quitting the position for a speech sound 4: an instrument effecting a legal release, 5 a: the permitting of a working fluid (as steam) to escape from the a: the permitting of a working fluid (as steam) to escape from the cylinder at the end of the working stroke **b**: the point in a cycle at which this act occurs **6**: the state of being freed **7**: a device adapted to hold or release, a mechanism as required **8** a: the act of permitting performance or publication; also: PERFORMANCE, PUBLICATION (a record that immediately became a best-seller on its **>**) **b**: the matter released; esp: a statement prepared for the press
re-lease \(')rē-lēs\vt(1828): to lease again
released time n (1941): time off from regularly scheduled activities (as

school) given to take part in some other specified activity (as religious

release print n (1937): a motion-picture film released for public show.

re-leaser \ri-le-sor\ n (1651): one that releases; specif: a stimulus main serves as the initiator of complex reflex behavior

an appropriate place or situation on the basis of classification of appropriate place or solution on the basis of classification of appropriate action praisal c: to submit to someone or something for appropriate action present propriate propriate

hand b: practical and esp. social applicability: PERTINENCE (giving to college courses) 2: the ability (as of an information retrieval system) to retrieve material that satisfies the needs of the user

rel-e-van-c relevant rel-e-vant to raise v demonsti tending t testimony – rel∙e•v SVN REL APROPOS VANT in may add tion or (not be a NENT St felicitou eral rule being bore-li-abil-ireliable procedur re-li-able : DEPEND able-ness ²reliable n re·li·ance being reli re-li-ant \
: DEPEND
rel-ic \'rel quiae, pl. behind veneratec MEMENTC decay, di outmode ¹rel·ict \'r∈ relinguer 1 : WIDO fauna or after othe ²relict adj re-lic-tion relictus] (nently un re-lief \ri relever to made by succeedir : remova oppressive in the for poor, age assistance d: mean from a r duty 4 other on 6 [F] a forms an surround or a scul ment, or bold ~; Surface relief adj inequaliti relief map relief pitc relief prin re-lieve \r raise, reli (14c) 1 from an wrong, o bring abo 3 a: to 4: to rea b: to rai as a relie! Syn REL make sc burden lessenin or depre of the ef calming re-lieved anxiety o re-lie-vo \ L relevar (religion) religion] pernatur. vance b personal and prac